

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES & EXCHANGE COMMISSION,

Plaintiff,

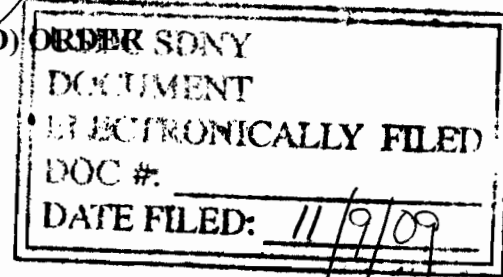
-against-

COLLINS & AIKMAN, CORP., et al.,

Defendants.

07 CV 2419 (SAS)

(PROPOSED)



WHEREAS, by letter dated October 8, 2009, third party Navistar Inc.

("Navistar") sought permission to intervene in the above action and requested a protective order barring the production of certain Navistar documents held by the Securities & Exchange Commission (the "Commission") to Defendant David A. Stockman ("Stockman"); and

WHEREAS, by letter dated October 14, 2009, Stockman opposed Navistar's request; and

WHEREAS, by letter dated October 15, 2009, the Commission suggested that consideration of Navistar's petition may be premature until Stockman fully identifies the documents it seeks from the Commission; and

WHEREAS, a teleconference was held before this Court with regard to Navistar's request on November 5, 2009 during which the Court ordered counsel for the Commission and counsel for Stockman to meet and confer in order to identify the particular Navistar documents that Stockman wishes the Commission to produce;

IT IS HEREBY ORDERED that Navistar may intervene in this action for the limited purpose of opposing the production of its documents to Stockman after the Commission and Stockman identify the documents at issue.

SO ORDERED:



HONORABLE SHIRA A. SCHEINDLIN
United States District Judge

11/9/09